

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER)
of the NEW ENGLAND TEAMSTERS AND)
TRUCKING INDUSTRY PENSION FUND)

Plaintiff,)

v.)

STAMPRETE OF RHODE ISLAND, STAMP)
CRETE OF RHODE ISLAND, INC.)
AND STAMPED CONCRETE, INC.)

Defendants.)

C.A. No. 04cv11125 NG

**AFFIDAVIT OF RENEE J. BUSHEY IN SUPPORT
OF AWARD OF ATTORNEY'S FEES AND COSTS PURSUANT TO
SECTION 502(g)(2) OF ERISA, 29 U.S.C. § 1132(g)(2)**

I, Renee J. Bushey, Esq., under oath, affirm and declare as follows:

1. I am an attorney associated with the law office of Feinberg, Campbell & Zack, P.C., located at 177 Milk Street, Boston, MA 02109. I am admitted to practice before the United States District Court for the District of Massachusetts, the United States Court of Appeals for the First Circuit, the United States District Court for the District of Rhode Island, the Massachusetts Supreme Judicial Court, and the Rhode Island Supreme Court. I have specialized in labor law since receiving my juris doctorate from Cornell University Law School in 1995 and have acted as legal representative of the New England Teamsters and Trucking Industry Pension Fund ("Pension") for the purposes of the above-captioned matter.

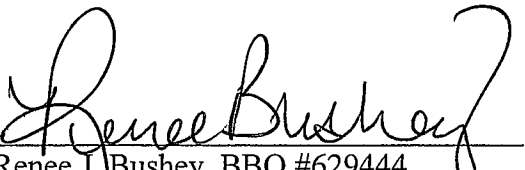
2. Catherine M. Campbell is an attorney associated with the law office of Feinberg, Campbell & Zack, P.C., located at 177 Milk Street, Boston, MA 02109. Attorney Campbell admitted to practice before the United States District Court for the District of Massachusetts, the

United States District Court for the Northern District of California, the United States Court of Appeals for the First Circuit, the Massachusetts Supreme Judicial Court, and the California Supreme Court. She specializes in litigation under the Employee Retirement Income Security Act of 1974 (ERISA) and the Multiemployer Pension Plan Amendments Act of 1980 (MPPAA) and has acted as legal representative of the New England Teamsters and Trucking Industry Pension Fund ("Pension") for the purposes of the above-captioned matter.

3. The amount of time this office has expended in pursuing collection of pension contributions due and owing the Pension Fund from the Defendants has been 97.0 hours. Pursuant to financial arrangements made by this office with the Fund, services performed by an attorney in this office for the Fund prior to February 28, 2006 were charged at the rate of \$235.00 per hour for Catherine M. Campbell and \$210.00 for Renee J. Bushey. Services performed by an attorney in this office for the Fund after March 1, 2006 were charged at the rate of \$250.00 per hour for Catherine M. Campbell and \$235.00 for Renee J. Bushey.

4. The total of attorneys fees and costs incurred by the Pension Fund are \$24,776.63.
(see attached documentation).

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 14 DAY OF JUNE, 2006.


Renee J. Bushey, BBO #629444
FEINBERG, CAMPBELL & ZACK, P.C.
177 Milk Street
Boston, MA 02109
(617) 338-1976

<u>Fees</u>	<u>Client</u>	<u>Trans Date</u>	<u>Atty</u>	<u>H P</u>	<u>Tcd</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>		<u>Ref #</u>
	200.204	05/17/2004	7	A	1	235.00	0.50	117.50	Telephone conference with Fund office regarding Stamprete New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	05/19/2004	11	A	1	125.00	0.75	93.75	Draft Complaint against Stamprete, Stamped-Concrete and Stamp Crete New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	06/18/2004	7	A	1	235.00	0.50	117.50	Telephone conference with T. Plunkett; Memo to file New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	06/30/2004	7	A	1	235.00	0.50	117.50	Review of Answer, Review research regarding dismissal for receivership New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	07/06/2004	7	A	1	235.00	3.25	763.75	Research regarding Motion to Amend Complaint New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	07/08/2004	7	A	1	235.00	0.75	176.25	Review of receivership Proof of Claim; Letter to C. Langone New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	07/12/2004	7	A	1	235.00	1.25	293.75	Review and edit Amended Complaint New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	07/14/2004	7	A	1	235.00	0.50	117.50	Final review of receiver Proof of Claim; Preparation of Motion to Amend Complaint New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	09/02/2004	7	A	1	235.00	0.50	117.50	Review Answer to Amended Complaint; Contact court regarding scheduling conference New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	10/07/2004	7	A	1	235.00	0.75	176.25	Preparation of joint scheduling conference; Letter to attorney New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	10/08/2004	7	A	1	235.00	2.25	528.75	Preparation of 16.1 certificate; Letter to attorney; Edit of pretrial conference memorandum New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	10/12/2004	7	A	1	235.00	0.50	117.50	Preparation of settlement proposal; Letter regarding dismissal of Stamp Crete New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	10/13/2004	7	A	1	235.00	2.50	587.50	Preparation of Disclosure Statement New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	11/02/2004	7	A	1	235.00	2.25	528.75	Prepare for and attend scheduling conference New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	12/08/2004	7	A	1	235.00	1.25	293.75	Review correspondence from attorney; Research regarding dismissal of defendant in receivership New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	12/14/2004	7	A	1	235.00	0.50	117.50	Update litigation report New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	03/31/2005	7	A	1	235.00	3.25	763.75	Preparation of Discovery New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	04/08/2005	7	A	1	235.00	3.75	881.25	Preparation of Discovery and Notice of Deposition New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	04/13/2005	7	A	1	235.00	0.50	117.50	Letter to Ferrucci, receiver New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	04/20/2005	7	A	1	235.00	3.25	763.75	Research regarding various entities in preparation for deposition; Preparation of Motion to Extend Discovery schedule New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	04/22/2005	7	A	1	235.00	0.50	117.50	Telephone conference with attorney; Letter to same regarding deposition; Discovery New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	04/26/2005	7	A	1	235.00	7.50	1762.50	Preparation for and attend deposition of L. Pezza New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	05/02/2005	7	A	1	235.00	0.50	117.50	Preparation of second set of interrogatories New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	05/10/2005	7	A	1	235.00	1.25	293.75	Preparation of Responses to Discovery	ARCH

<u>Fees</u>	<u>Client</u>	<u>Trans Date</u>	<u>Atty</u>	<u>H P</u>	<u>Tcd</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>	<u>Ref #</u>
								New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	
200.204		05/31/2005	7	A	1	235.00	0.50	117.50 Telephone conference with attorney; Notice of rescheduled deposition; Preparation for deposition New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		06/22/2005	7	A	1	235.00	1.50	352.50 7.1 conference letter; Preparation of Responses to Discovery New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		06/27/2005	7	A	1	235.00	2.50	587.50 Preparation of Responses to Discovery New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		06/28/2005	7	A	1	235.00	0.75	176.25 Research regarding Secretary Of State; Letter to same New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		06/29/2005	7	A	1	235.00	3.75	881.25 Preparation of Responses to Discovery New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		06/30/2005	7	A	1	235.00	0.75	176.25 Prepare for and attend status conference New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		07/06/2005	7	A	1	235.00	2.50	587.50 Preparation of Subpoenas New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		07/08/2005	7	A	1	235.00	0.50	117.50 Telephone conference with B Thompson; Review of Document Requests and Responses New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		07/22/2005	7	A	1	235.00	1.25	293.75 Preparation of Motion to Compel Discovery Responses; Telephone conference with attorney New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		08/10/2005	7	A	1	235.00	0.25	58.75 Telephone conference with attorney regarding Motion to Compel New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		09/07/2005	7	A	1	235.00	3.50	822.50 Prepare for and attend status conference with Judge Dein New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		09/08/2005	7	A	1	235.00	0.50	117.50 Letter to Attorney Thompson and Plunkett; Review of Order New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		09/08/2005	7	A	1	235.00	2.75	646.25 Preparation of deposition summary of C. Pezza New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		09/13/2005	7	A	1	235.00	0.50	117.50 Letters to Plunkett and Thompson New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		09/21/2005	7	A	1	235.00	0.25	58.75 Letter to Thompson New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		09/22/2005	7	A	1	235.00	5.50	1292.50 Prepare for and attend deposition of M. Pezza New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		09/29/2005	7	A	1	235.00	6.00	1410.00 Review subpoenaed documents; Prepare Amended Complaint, Motion to File Amended Complaint, and Demand letter regarding settlement New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		09/30/2005	7	A	1	235.00	0.50	117.50 Preparation of Motion to Compel New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		10/07/2005	7	A	1	235.00	0.50	117.50 Edit of Motion regarding Amendment of Complaint; Letter to Thompson New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		10/11/2005	7	A	1	235.00	0.75	176.25 Preparation of Motion and Memo to Compel Interrogatories New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		10/12/2005	7	A	1	235.00	1.00	235.00 Edit of Memorandum and Motion to Amend Complaint New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		02/07/2006	14	A	21	210.00	1.00	210.00 Review of file; Discussion with Attorney Campbell New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204		02/09/2006	14	A	1	210.00	0.50	105.00 Telephone conference with attorney; Review of L. Pezza deposition New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH

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Fees										
	200.204	02/13/2006	14	A	1	210.00	0.75	157.50	Telephone conference with attorney; Preparation of Motion to Extend Time New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	02/16/2006	14	A	18	210.00	0.75	157.50	Preparation of Summary Judgment Motion; Review of deposition New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	02/17/2006	14	A	21	210.00	1.00	210.00	Review of file for Motion for Summary Judgment New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	02/21/2006	14	A	20	210.00	1.00	210.00	Research for Motion for Summary Judgment New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	02/27/2006	14	A	18	210.00	1.00	210.00	Preparation of Motion for Summary Judgment; Telephone conference with attorney New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	03/02/2006	14	A	20	235.00	1.25	293.75	Research on jurisdiction issue for Motion for Summary Judgment New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	03/06/2006	14	A	1	235.00	2.00	470.00	Telephone conference with attorney; Preparation of undisputed facts for Motion of Summary Judgment New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	03/07/2006	14	A	18	235.00	2.00	470.00	Preparation of Motion for Summary Judgment New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	03/09/2006	14	A	18	235.00	1.00	235.00	Preparation of Motion for Summary Judgment; Telephone conference with attorney New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	03/13/2006	14	A	18	235.00	3.00	705.00	Preparation of Motion, Memo for Sanctions, and Statement of Facts New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	03/14/2006	14	A	35	235.00	3.50	822.50	Edit Motion for Sanctions; Preparation of Summary Judgment; Review deposition of M. Pezza New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	03/16/2006	14	A	35	235.00	1.50	352.50	Edit of Memo for Motion for Summary Judgment New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	03/23/2006	14	A	35	235.00	0.50	117.50	Edit Motion of Summary Judgment, Memo and Facts Statement New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	03/24/2006	7	A	1	250.00		0.00	Review of motion to compromise in receivership New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	03/27/2006	14	A	11	235.00	0.50	117.50	Discussion with assistant regarding filing procedures New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	04/11/2006	14	A	1	235.00	0.25	58.75	Telephone conference with Receiver New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	04/18/2006	14	A	1	235.00	0.25	58.75	Telephone conferences with Attorney and Receiver New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	05/23/2006	14	U	14	235.00	0.25	58.75	Email correspondence regarding status; Review of Receivership document New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	191
Total for Fees						Billable	97.00	22562.50		
Expenses										
	200.204	08/12/2004	7	A	52			43.75	Local counsel fees. (2450) Gursky Law Associates - during the month of July 2004 New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
Total for Expenses						Billable	0.00	43.75		
Advances										
	200.204	05/26/2004	7	A	114			150.00	Filing Fees/ (38) Clerk, US District Court New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
	200.204	05/26/2004	11	A	54			9.30	Certified Mail Cost: Copy of Complaint to US Secretaries of	ARCH

Client	Trans Date	Atty	H P	Tcd	Rate	Hours to Bill	Amount	Ref #
Advances								
							Labor and Treasury New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	
200.204	05/28/2004	11	A	54		14.64	Certified Mail Cost: Service of Complaint on each defendant New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	07/21/2004	7	A	134		74.03	Online Computer Research Charges via Lexis-Nexis during the month of June 2003 New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	08/12/2004	7	A	134		37.23	Online Computer Research Charges via Lexis-Nexis during the month of July 2004 New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	04/07/2005	7	A	134		15.00	Online Computer Research Charges via locateplus.com New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	04/26/2005	7	A	112		426.25	Deposition/Transcript Expense: (2412) Neal A. Salloway - deposition of Leonard A. Pezza New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	05/31/2005	7	A	134		29.45	Online Computer Research Charges via knowx.com and locateplus.com New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	07/19/2005	7	A	118		31.95	Photocopying Expenses/ (2405) Secretary of State of Rhode Island - certified copies of annual reports New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	07/28/2005	7	A	115		141.00	Service of Subpoenas: Constble & Investigation Services New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	09/16/2005	7	A	128		69.48	United Parcel Service/Overnight Delivery New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	09/22/2005	7	A	112		341.50	Deposition/Transcript Expense: (2412) Neal A. Salloway - Deposition of Michael T. Pezza New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	09/26/2005	7	A	118		674.71	Photocopying Expenses/ copies of requested records- Kiernan, Plunkett & Redihan New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	10/14/2005	7	A	134		12.84	Online Computer Research Charges via Lexis-Nexis during the month of September 2005 New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	03/31/2006	7	A	134		83.52	Online Computer Research Charges via Lexis-Nexis during the month of February New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
200.204	04/24/2006	7	A	134		59.48	Online Computer Research Charges via Lexis-Nexis during the month of March New England Teamsters & Trucking Industry C. Pezza & Son, Inc.	ARCH
Total for Advances					Billable	0:00	2170:38	
GRAND TOTALS								
					Billable	97.00	24776.63	